G R S App F IX-4]

1943 -

File No ~~Mel~~ 88-43
114-21

Serial Nos ~~88-43~~

Previous References
Mel 66-32 & 1744-91 (Mel)

Later References
Mel 55-46 (10, 61)

GENERAL AND REVENUE SECRETARIAT

Serial Nos two

Part B for October 1943

SUBJECT

Sale of House No 1 Constructed by the Chamarajapet Town Municipal Council to one Mr Narasinga Rao

fo No L 4157-8 dt 14 10 43 sanctions the sale of the house to Mr Narasinga Rao for Rs 3,000/-

11

From the Dy Secretary, Mysore to
letter no D3-C 1710/42-43 dt 16
Requests sanction to the sale of Mo
House no 1 constructed by the Chamra
nagar town ce to Sri Narasinga Rao
for Rs 3000/- as

The transaction involved in the case are

1) In the year 1912, Site no 1 was sold to Sri Narasinga Rao for Rs 36/- He paid Rs 15/- then and Rs 5/- in 1932, a part of 20 years Rs 16/- still remained to be paid

2) In 1932 the Municipality constructed a house on the very same site for Rs 1750/- and sold it to Sri Narasinga Rao who deposited a sum of Rs 200 instead of Rs 450/- as received, for the house & the balance of the price was decided to be paid in 144 instalments. He neither paid the balance of the deposit amount nor any instalments towards the balance.

3) The present recommendation of the President is to sell the house to Sri Narasinga Rao for Rs 2500/- odd according to the calculation indicated in the letter dated 8.5.42 (Flag J) last

para on page 3 The DC has caused a revaluation of the house to be made through the SDO who is of opinion that the price may be fixed as Rs 3000/- to which the DC agrees and recommends sanction

In the previous two transactions, first the sale and then the house were taken possession of by the municipality. This amounts to forfeiture of the properties by the party with all rights created and any payments made Neither Mr Narasinga Rao has so far any valid grounds to take back the house nor the municipality to reopen the case with Mr Narasinga Rao Though Mr Narasinga Rao has agreed to pay Rs 2400/- for the house taking credit of his payment of Rs 200/- in the second transaction there is no evidence to show that he agreed to pay Rs 2500/- the present price as fixed by the President much less the price of Rs 3000/- now recommended by the DC It is not also clear whether any amount decided to be paid as the price of the house, would be paid cash down or in instalments as was done last time

The financial condition of the municipality is not satisfactory and if the house is sold for cash, the amount realised would go to relieve the municipality

The D.C's letter dated 26th on the subject is also forwarded

2 the financial habitation. In the same connection para 2 his letter dated 8 Sept 43) the President has stated that the house if sold by public auction would fetch a larger amount

HMS 27/9/43

The D.C Mysore district has explained the circumstances of the case in full.

His recommendation to sell the building with the site for Rs 3000/- may perhaps be accepted. He cannot be considered to have any legal right in the property but at most a kind of customary Law legal from the point of equity

27/9/43

It is equitable to sell him the said property May be approved

Minister 1 SG

27 9 43

27/9/43

3 10 43

3-10-43

Draft to please

4/10/43

Draft as submitted

HMS 6/10/43

7/10/43

GOVT SECT 3410 to MYSORE

OFF OF THE MINISTER FOR L S G & P H Dt 28 9 43 N 2168

To the DC Moore SR
a Comptroller for Govt
for no L 4157-8 of 14 10 43
sanctions the DC's recommendation

WD 01809—GPB—60 000 —26 1 43

88-43-11

OFFICE OF THE DEPUTY COMMISSIONER,
Mysore District,

No: D3-C 1710/42-43 Dated, Mysore, the 14th September 1943

GEN & SUPPLY BRANCH
1825/L
17 SEP 1943
L S B BRANCH

One file & Records

From

C M H RANAJODHA SINGH, Esq , B A ,
Deputy Commissioner, Mysore District,
Mysore

To

C NARAYANASWAMI NAIDU, Esq , B A , B L ,
Secretary to Government of Mysore,
Law Department, Bangalore

Sir,

Disposal of Model House No 1 in Chamarajanagar Town to one Mr Narasinga Rao

- - -

In forwarding herewith the entire file of correspondence ending with letter No A3-141/42-43 dated the 1st April 1943 from the Sub Division Officer, Nanjangud, on the above subject, I have the honour to state as follows:

In connection with the formation of an extension in Chamarajanagar Town, site No 1 measuring 87'x 108' was granted to one Mr Narasinga Rao on 6th September 1912 for a sum of Rs 36/- out of which the party paid a sum of Rs 20/-, the balance of Rs 16/- still remaining unpaid

The Municipal Council having taken up the question of constructing model houses for the benefit of the poor in the Town selected Bungalow sites for the purpose, constfucted a house on site No 1 at a cost of Rs.1,750/- after obtaining formal sanction of Government and granted the house to Mr. Narasinga Rao.

No regular agreement appears to have been executed by the party But he has merely signed a draft form of agreement containing the rules and conditions governing the grant of these model houses, in token of his having gone through the said rules and conditions One of the conditions mentioned therein is that the purchaser should pay one-fourth of the full value of the house in advance and the balance in 144 equal monthly instalments The house was handed over to the party on 27th January 1932 on which date he deposited only a sum of Rs 200/- instead of depositing one-fourth of the cost of the building But he failed to pay either the balance of the deposit amount or the monthly instalments A notice was, therefore, issued to him to the effect that the amount advanced by him was forfeited and that the house taken possession of by the Municipality as he failed to act up to the rules and conditions read over and attested by him The Municipality is now receiving rent in respect of this building and the rent is being credited to Municipal Funds

But Mr Narasinga Rao has been all along agitating and representing to the Municipal Council that the building may be restored to him after recovering the full value of the building and the balance value of the site on which the building stands The Assistant Comptroller, who

who audited the accounts of the Municipality is reported to have opined that the transactions pertaining to the present possession of the property should be regulated The Municipal Lawyer who was consulted in the matter is reported to be of opinion that there is no objection from a legal point of view to consider the case at this distance of time The Town Municipal Council, Chamarajanagar, after taking into consideration the opinion of the Municipal Lawyer and the observations made by the Assistant Comptroller, unanimously, resolved at their meeting held on 14th February 1942 that the property may be reconveyed to Mr Narasinga Rao if he agrees to pay a sum of Rs, 2,400/- towards the value of the building and the site But the President of the Municipality is of opinion that the building may be sold to the party for Rs 2,533-3-2 which he says is legally due to the Municipality

With regard to the present valueation of the property, the Sub Division Officer, also was consulted and he, after inspection of the building, is of opinion that at the current market rate and allowing for depreciation, cheap materials used and in the absence of tak teak wood work, the house and the site could be valued at Rs 3,000/- (Rupees three thousand only) I agree with him and consider this as a very reasonable value

I, therefore, request you to be so good as to obtain sanction of Government to sell the building with the site on which it stands to Mr Narasinga Rao for Rs 3,000/- and communicate the same to this office at an early date

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Mysore District

OFFICE OF THE DEPUTY COMMISSIONER
MYSORE DISTRICT

No D 3-C 1710/42-3
Fncl

Dated Mysore the 24th September 1943

GEN & REV SECRETARIAT
20257
27 SEP 1943
L S G BRANCH

FROM

C M H RANAJODHA SINGH, Esq , B A ,
Deputy Commissioner, Mysore District

To

C NARAYANASWAMI NAIDU, Esq , B A , B L ,
Secretary to the Government of Mysore
Law Department, *Bangalore*

SIR

Subject:- Disposal of Model House No 1 in Chamarajanagar Town to one Mr Narasinga-Rao

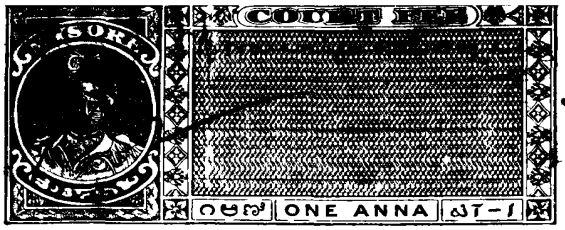
With reference to your memo No L 19 dated 2nd July 1943 forwarding for report a petition from one Mr B Narasimga Rao, retired Record Keeper residing in Srikantapuri Extension, Nanjangud on the above subject, I have the honour to state that a detailed report in this behalf has already been submitted in this Office letter of even number dated 14th September 1943

The petition received with your memo under reference is herewith returned in original

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner
Mysore District

ASLN



OFFICE OF THE ... FOR L S G & P H
Dat 30 6 43
No 1033

GEN & REV SECRETARIAT
2 JULY 1943
L S BRANCH

SECY LAW DEPT
1-7
GOVT OF MYSORE

OFFICE OF THE DEPUTY COMMISSIONER
No 231
YOUR DISTRICT

Memo No: L19 Dt 2/7/1943

Forwarded with Compliments to the

Deputy Commissioner, Bangalore

for favour of a report in the matter

by

Very early.

1/7/43

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to 1825 & 2025/L

Section Mel

File No 88-42

Serial No 21

General and Revenue Secretariat

( )

the *19*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 14/10/1943

Signed by Mel. Sec.

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

Read—

GO No L 6624-5/Mel 32-191 dated 15th April 1933 sanctioning the Despatch of the three motor lorries built by the Chamarajnagar Municipal Council at a cost of Rs 1750/- each

~~Order thereon—No~~

2. Correspondence ending with Letter No P 3-C 1710/42-43 dated 24th September 1943 from the Dy Commr, Mysore & Statg that the President of the Chamarajnagar Town Municipal Council

was proposed the sale of one
of the houses referred to in the
G.O read above to Mr B.
Narasinga Rao, Retired Record
Keeper for Rs 2533-3-2 and
recommends that according to
the present
situation, ~~the house~~, the house in question
may be sold with the site on
which it stands, for Rs 3,000/-
to the said
Mr Narasinga Rao. and
~~Enquired~~

Order ✓ 4157-88 14/10/44

The recommendation of
Dy Comm^r, Moore Dt is sanctioned

for
Secy to Govt
Law Dept

List 1 Enclosure

To the Dy Commr Moore Dt W/R ✓
Comptroller to Govt ✓

Copy
Issued

WD 03696- G1 B—30 000 2 2 40